

# **BOARD OF POLICE COMMISSIONERS**

## **Minutes of the Regular Board of Police Commissioners Meeting Thursday, May 5, 2005**

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, May 5, at 3:00 p.m., at Police Headquarters, 1300 Beaubien, Detroit, Michigan 48226.

### **ATTENDANCE**

#### **Board Members Present**

Arthur Blackwell, II  
Erminia Ramirez  
Jim Holley  
Megan Norris  
Willie Hampton

#### **Department Personnel Present**

DC Ronald Haddad  
Comm. Marshall Lyons  
Insp. Gail Wilson-Turner  
Lt. Terry Herbert  
Lt. Donna Jarvis  
Inv. Brian Fountain  
PO Leslie Washington  
PO Lisa Eldorado  
PO Michael Woody  
Atty. Nancy Ninowski

#### **Board Staff Present**

Dante' L. Goss, Executive Director  
E. Lynise Bryant-Weekes, Personnel Director  
Denise R. Hooks, Attorney/Supervising Inv.  
Arnold Sheard, Interim Chief Investigator

### **OTHERS PRESENT**

Ron Scott  
Ms. Walters  
Rick Jones  
David Grant, Detroit Free Press  
Rev. David Murray and Family

### **RECORDERS**

Jerome Adams  
Kellie Williams

1. **CALL TO ORDER**

**Vice-Chairperson Ramirez** called the regular meeting of the Detroit Board of Police Commissioners to order at 3:17 p.m.

2. **APPROVAL OF MINUTES**

- **Thursday, April 28, 2005**

**MOTION:** **Comm. Holley** made the motion to approve the above Minutes.

**SECOND:** **Comm. Norris** seconded the motion.

**VOTE:** All in attendance voted in the affirmative.

3. **REPORT FROM THE CHAIR**

There was no report from the Chair.

4. **SECRETARY'S REPORT – EXEC. DIR. GOSS**

**SUSPENSION**

On May 5, 2005, **Police Officer Hodari Lewis**, Badge 3123, assigned to the Third Precinct, was suspended **without pay** by Chief of Police Ella M. Bully-Cummings.

On April 12, 2005, the Internal Affairs Section was notified of an allegation of misconduct on the part of Police Officer Hodari Lewis, Badge 3123, assigned to the Third Precinct. More specifically, the complaint alleged that Officer Lewis did engage in sexual contact with a female under the legal age of consent.

As a result, the Internal Affairs Section initiated an investigation, which revealed the following:

On April 12, 2005, at approximately 8:10 p.m., an officer from the Grosse Pointe Farms Police Department was dispatched to Waterloo and Lincoln, in the City of Grosse Pointe Farms, to investigate a complaint concerning a vehicle that was occupied by a couple and the female in the vehicle was

observed undressing. Upon arrival, the officer observed a female in the passenger seat of the vehicle with her head in the driver's lap performing oral sex. The driver of the vehicle was subsequently identified as Detroit police officer Hodari Lewis. At that time, it was also ascertained that the female was fifteen (15) years of age.

Both Officer Lewis and the female were then taken to the Grosse Pointe Farms Police Department wherein the female indicated that she had met Officer Lewis at "the Mall" approximately one month ago and that they talked on the telephone several times thereafter. And, eventually, the female indicated that they agreed to meet on this date at the above-indicated location. The female also indicated that she told Officer Lewis that she was seventeen (17) years old.

On April 22, 2005, a felony warrant was issued against Officer Lewis charging him with Criminal Sexual Conduct - Third Degree (statutory rape) and Felony Firearm, contrary to MCL 750.520d and MCL 750.227b. Criminal Sexual Conduct - Third Degree (statutory rape) is a felony punishable by not more than fifteen (15) years in prison; and Felony Firearm is a felony punishable by two (2) years in prison.

Criminal Sexual Conduct - Third Degree is a statutory crime defined as unlawful sexual contact with a female under the statutory age of consent. In such cases, the prosecution is not required to prove that the sexual contact was without the consent of the female because she is conclusively presumed to be incapable of consent by reason of her age. Similarly, any misrepresentations made by the female regarding her age are immaterial to the prosecution.

On April 28, 2005, Officer Lewis appeared at the State of Michigan Thirty-Second District Court for arraignment. A plea of not guilty was entered on Officer Lewis' behalf to the aforementioned charges and a personal bond was set in the amount of fifty thousand dollars (\$50,000.00). The Preliminary Examination is scheduled for May 12, 2005.

Based on the above circumstances, it is recommended that Officer Lewis be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNPROFESSIONAL; CONTRARY TO THE LAW ENFORCEMENT CODE OF ETHICS, THIS BEING IN VIOLATION OF THE DETROIT POLICE DEPARTMENT MANUAL, SERIES 100, DIRECTIVE 102.3-5.7, CONDUCT UNBECOMING AN OFFICER, COMMAND 3.**

Unless contravened by this Commission, the above suspension without pay will stand.

There were no contraventions the above suspension without pay.

### GENERAL ORDER

On April 25, 2005, the Board of Police Commissioners' Office received **Directive 304.2: Use of Force**. This Directive is scheduled to be presented and discussed at the Board of Police Commissioners' community meeting on May 12, 2005.

### CITIZEN COMPLAINTS RECEIVED

	<u>This Week</u>	<u>Year to Date</u>
<b>2005 - Weekly Count of Complaints:</b>	<b>60</b>	<b>481</b>
<b>2004 - Weekly Count of Complaints:</b>	<b>43</b>	<b>521</b>

- The Office of the Chief Investigator (OCI) closed a total of 20 cases this week.
- The Office of the Chief Investigator submitted 0 cases to the Chief's Office.
- The Chief's Office has reviewed and returned 14 cases to OCI.

## 5. REPORT/PRESENTATION – CHIEF OF POLICE

# DETROIT POLICE DEPARTMENT

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**REPORT TO THE  
BOARD OF POLICE COMMISSIONERS**

*Vision Statement*

**BUILDING A SAFER DETROIT THROUGH COMMUNITY PARTNERSHIPS.**

The Detroit Police Department is committed to uphold its mission to provide a safe environment for our residents and businesses. This effort is not possible without the

joint commitment of the community and the Police Department. We appreciate and value the role our citizens have played in helping us to take guns and drugs off the streets of the city of Detroit.

## **SPECIAL ENFORCEMENT ACTIONS**

During the period of April 26<sup>th</sup> – May 2<sup>nd</sup>, the *Narcotics Enforcement and Conspiracy Units* conducted 28 search warrants and 35 street enforcement actions within the boundaries of the city of Detroit, resulting in the following arrests and confiscations:

Arrests:

36 Felony arrests

- ◆ 111 Misdemeanor arrests
- ◆ 6 Juvenile(s) detained

Confiscated:

- ◆ 583 Grams of cocaine, 15 grams of heroin, 2,383.4 grams of marijuana - street value **\$269,733.00**
- ◆ **\$11,662.00 U.S.** currency
- ◆ 18 Handguns
- ◆ 1 Vehicle

### *The Tactical Mobile Unit*

On April 27<sup>th</sup>, Officers of the Tactical Mobile Unit while on patrol in the area of Beatrice and Downing observed a vehicle disregard a stop sign. *Subsequent to an investigation one (1) man was arrested for "Violation of Controlled Substance Act." Confiscated was 2 grams of suspected crack cocaine.*

On April 30<sup>th</sup>, officers of the Tactical Mobile Unit responded to the area of Grand River and Vicksburg on a "Man on a city bus with a Gun" run. *As a result of an investigation one (1) man was arrested for "Felony Assault" and "Facsimile Firearm." Confiscated was one handgun.*

### *The Gang Enforcement Section*

On April 26<sup>th</sup>, officers from the Gang Enforcement Section received information from a citizen who stated that a student at Weston Technical High School located at 22930 Chippewa had a gun. *The officer's conducted an investigation which resulted in one (1) juvenile being detained for "Carrying Concealed Weapon- Person." Confiscated was one (1) handgun.*

On May 2<sup>nd</sup>, Officers of the Gang Enforcement Section in conjunction with the Detroit Public Schools Security conducted "Operation ABC" at Henry Ford High School located at 20000 Evergreen. *This operation resulted in the detention of forty seven (47) students who were issued Violation Notices for "Minors Unlawfully in a Public Place" and "Disorderly Conduct" for loitering in the hallway.*

## Police/Community Intervention



### TAKING THE GUNS OFF THE STREET !



Total Guns Confiscated  
Year-To-Date  
1,303

#### FIRST PRECINCT

On April 25<sup>th</sup>, officers of the 1<sup>st</sup> Precinct while on patrol in the area of Brush and Clinton observed a man use force to take another man's property. Subsequent to an investigation and after a brief foot chase two (2) men were arrested for "Robbery Not Armed-Citizen".

#### SECOND PRECINCT

On May 2<sup>nd</sup>, officers of the 2<sup>nd</sup> Precinct responded to 14838 Hartwell on a "Robbery Armed - Unlawful Driving Away of an Automobile" run. As a result of the officer's investigation, a man was arrested for "Carrying Concealed Weapon – Person" and "Robbery Armed – Unlawful Driving Away of an Automobile."

#### THIRD PRECINCT

On April 28<sup>th</sup>, officers of the 3<sup>rd</sup> Precinct responded to the 7800 block of South Street to assist Violent Crimes Task Force in an investigation of two (2) wanted in connection with an "Armed Robbery." Subsequent to an investigation, one (1) man and one (1) woman were arrested without incident for "Armed Robbery." Further investigation revealed the man was responsible for other robberies in and around the 3<sup>rd</sup> Precinct.

#### SEVENTH PRECINCT

On April 28<sup>th</sup>, officers of the 7<sup>th</sup> Precinct responded to the 2100 block of Jefferson on a "Co-Worker Shot a Man" run. Subsequent to an investigation one (1) man was arrested for "Felony Assault" and "Felony Firearm." Confiscated were two (2) handguns.

#### NINTH PRECINCT

On May 2<sup>nd</sup>, officers of the 9<sup>th</sup> Precinct while on patrol in the area of Houston Whittier and Chalmers observed two (2) men who matched the description of two (2) wanted in connection with numerous robberies. [As a result of an investigation, the wanted men were arrested without incident for "Robbery Armed."](#) Confiscated was one (1) Facsimile firearm.

#### TENTH PRECINCT

On April 26<sup>th</sup>, officers of the 10<sup>th</sup> Precinct while on patrol in the area of Davidson and Wildemere, observed a vehicle with the driver side door lock punched out. [As a result of an investigation one \(1\) man was arrested for "Possession with Intent to Deliver", "Receiving and Concealing Stolen Property-Motor Vehicle."](#) Confiscated was four (4) small packages of suspected heroin.

#### TWELFTH PRECINCT

On April 26<sup>th</sup>, officers of the 12<sup>th</sup> Precinct while on patrol in the 16800 block of Schaefer observed a man who was wanted in connection with a "Robbery Armed-Citizen". [As a result of an investigation, one \(1\) man was arrested without incident for "Robbery Armed - Citizen."](#)

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**Chief of Police Ella M. Bully-Cummings**

## **6. PRESENTATION – POLICE COMMUNITY SERVICES UNIT**

**Lt. Terry Herbert** gave the following PowerPoint presentation:

**(See Attachment)**

### **Questions and Answers**

**Chairperson Blackwell** asked did you say that the safety thing has to deal with handling a gun and understanding gun safety, is that correct?

**Lt. Herbert** stated it actually has to do with the consequences of firearms. There is also a component attached to it that sort give you workable or practical ways to say there are other ways to correlate or come into terms without disagreements, we don't have to resort to gun violence to do that.

**Chairperson Blackwell** asked so it is more geared to the violence of guns and the affects, rather than just dealing with the safety education component?

**Lt. Herbert** stated that is correct, but that safety component that we give them to take home to their parents. There is ultimately the responsibility for firearm safety, if they feel that they need to arm themselves for safety. Our personal

safety trainer and I go into **boardrooms**, FIA, Headstart Programs, churches and etc. where we could give our message about reducing crime.

**Vice-Chairperson Ramirez** asked does the fee for the 80 hour Basic Crime Prevention Course goes to the general fund?

**Lt. Herbert** stated yes.

**Vice-Chairperson Ramirez** asked it doesn't go back to the Detroit Police Department?

**Lt. Herbert** stated that is a subject that we would probably want to revisit, but that's the way that it has been setup.

**Vice-Chairperson Ramirez** commended the Police Community Services Unit for doing an excellent job on creating and establishing a Spanish-speaking Citizen Police Academy. She asked when a break-in occurs, is there somebody that can do a follow-up with the owner about personal safety?

**Lt. Herbert** stated no. We have regular meetings with the community **relations'** officers at all of the precincts. The general idea behind that is to correlate all of our crime prevention efforts, not only do we talk about what's working or what's not working, what are some of the problems that you are encountering, how are you working to address that issue, what community groups are supportive, and etc. We network at those meetings and we also provide 1-hour training in security surveys, burglary prevention and etc.

**Comm. Norris** recalled when there were continuous break-ins in her neighborhood that the precinct sent a letter saying that they will have somebody from crime prevention come out and do a survey for you.

**Lt. Herbert** that service is offered free of charge and you don't have to experience a break-in to get that service, we come out at your request.

**Comm. Holley** asked do you have a representative in each precinct or do you work from one area?

**Lt. Herbert** stated we have nine (9) officers assigned to the unit and there are twelve precincts. We have a liaison who attends all of the precinct community relations council meetings. This also helps us in our recruiting process for recruiting members the Youth Academy and etc.

**Comm. Holley** asked does PAL still exist?

**Lt. Herbert** stated absolutely.



**Comm. Holley** asked what relationship does PAL have with the police community?

**Lt. Herbert** stated the Police Athletic League is located in the Northwest Activity Center.

**Comm. Holley** asked do you coordinate events with each other?

**Lt. Herbert** stated we have in the past, maybe not as much as we should, but we have had some joint ventures together. We actually seek their assistance in helping recruit Detroit area youth for our Youth Academy. We use them as a referral for when we get those calls from parents saying that they are looking for some activities for my son/daughter to participate in.

**Comm. Holley** asked could we have one week or one month when we have police community service week? For example, we could visit five (5) homes and five (5) businesses to let people know that you are more than just there to arrest, but you are there to be friendly and to work together because people need to know that you care. Also, is there a way that each precinct could partner with business and have fingerprinting, carnivals, picnics and face painting for children? What could we do as a police department to relieve the tension of the children during the summer?

**Inv. Fountain** stated police week is always the second week of May and that addresses the very same issues that you just talked about. During police week, every precinct in the city invites the community to come into the precinct. We have live entertainment....

**Comm. Holley** stated maybe we could do something in the middle of the summer, so that we could diffuse a lot of tension. I feel that May is a little too early. I could help you in terms of food, carnivals, fingerprinting for the kids and etc.

**Inv. Fountain** stated we definitely welcome your ideas.

**Comm. Blackwell** stated to Comm. Holley that you have our permission and our blessing to move forward with this because I think it is an excellent idea.

**DC Haddad** stated we also give about 1100 to 1400 young people summer jobs through our Junior Police Cadet Program. Not only do they get paid and make a little money, there is also built-in mentoring and tutoring through the summer.

**Comm. Holley** stated it would be good if we could establish a good relationship with Nike, so they might be able to donate tennis shoes to children.

**Inv. Fountain** stated the radio stations provide one big summer event that is free, so maybe we should try to do the same thing or something similar.

**Comm. Hampton** commended Inv. Fountain on his magic show that he did at the SEIU Children's Christmas Program and stated that he has developed a good relationship with organized labor.

**Chairperson Blackwell** asked do you think we need to look at additional ways to prevent gun violence? Is the gun prevention program in conjunction with the schools?

**Lt. Herbert** stated yes, I think we do need to look at ways to do more as it relates to the issue of gun violence. Often times, when we give presentations to schools, we receive a lot of feedback from the children after the presentation or through letters.

**Chairperson Blackwell** asked Lt. Herbert to make sure that his office stays in contact with Comm. Holley in regards to this matter.

**Lt. Herbert** stated I will do that.

## **7. OTHER BUSINESS**

**Chairperson Blackwell** stated we have an appeal that was taken under advisement by the Commission.

**MOTION:**     **Comm. Norris** made the motion to deny the appeal of applicant Anthony Ray Marshall.

**SECOND:**     **Comm. Holley** seconded the motion.

**VOTE:**       All in attendance voted in the affirmative.

## **8. ANNOUNCEMENT OF NEXT MEETING**

**Thursday, May 12, 2005 @ 6:30 p.m.**  
**Focus: Hope Conference Center**  
**1400 Oakman Boulevard, 3<sup>rd</sup> Floor**  
**Detroit, MI 48238**

**9. ORAL COMMUNICATION FROM THE AUDIENCE**

There was no oral communication from the audience.

**10. ADJOURNMENT**

The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

**DANTE' L. GOSS**  
Executive Director  
Board of Police Commissioners

**DLG/kdw**